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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,102	03/16/2000	TEEMU TARNANEN	PM257738	7530
909	7590	04/19/2004		
PILLSBURY WINTHROP, LLP P.O. BOX 10500 MCLEAN, VA 22102			EXAMINER VINCENT, DAVID ROBERT	
			ART UNIT 2661	PAPER NUMBER 12
DATE MAILED: 04/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/509,102

Applicant(s)

TARNANEN ET AL.

Examiner

David R Vincent

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US 5,835,061) in view of Cheung (US 5,812,531 of record).

Claims 1-7, 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Stewart (US 5,835,061).

As shown in Figs. 1-2, Stewart discloses a method and system for updating Internet (col. 12, lines 10-12) access point (AP) information (e.g., col. 6, lines 10-26) in terminal equipment (APs, mobiles, network hardware, Fig. 1) of a digital mobile system (PDAs, computers etc., col. 1, lines 6-14; can be cellular, col. 4, lines 21-35) capable of establishing a connection with the Internet (cols. 2-12, e.g., col. 4, lines 38-41; col. 5, line 56- col. 6, line 2) comprising storing settings of APs (MIB, col. 6, lines 10-38; directory of elements, topology, what mobiles are registered with what APs, characteristics of connection,

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performance, col. 6, lines 10-66) storing "system information" (not further defined in broad claims, reads on e.g., topology, etc. col. lines 10-66; mobile IDs, location col. 5, lines 31-55) broadcasting system information (does not specify who broadcasts the data or who receives it; reads on e.g., mobiles broadcasting beacons with ID and location data, col. 5, lines 40-55; col. 4, lines 7-55; also, any packet being sent out of mobile, cell phone, PDA, wireless computer, etc., will comply with protocols that include other data not mentioned in the reference) comparing system information (look to see if target mobile is in database of registered mobiles, col. 4, lines 48-55; updating topology, col. 6, lines 9-39) updating (updating topology, col. 6, lines 9-39) as specified in e.g., claims 1, 13, 19-20; carrying out comparison only when transaction is started (starting transaction reads on turning on mobile device in order to start transaction, comparing newly received mobile ID, col. lines 48-65; comparing using Mobile ID to provide services, col. 5, lines 40-55; comparing beacon data/ID with topology data or location data, checking billing data, e.g., col. 6, lines 9-66; service profile col. 5, lines 7-21), carrying out update before setting up call (getting location first, col. 4, lines 36-65; check service profile based on ID, col. 5, lines 7-21; check ID code to grant access, col. 5, lines 7-21; retrieve information needed, col. 5, lines 31-39; check ID and

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location to grant services, col. 5, lines 31-55; configure before engaging in communication, col. 5, line 55-col. 6, line 2), if it is noted that network has changed (topology, col. 6, lines 9-49; determine if correspondence is needed, col. 5, lines 56-col. 6, line 2; profile or ID code changed, col. 5, lines 7-21), as specified in claims 2, and 14; AP settings from server or to message service center (network MIB, info providers, service profile col. 5, lines 7-21; server at database services or Email provider etc., col. 6, line 39-col. 7, line 49), as specified in claims 3-5, 15-17; and system information is one of country code, names, location ID (name, code, network name, location, col. 5, lines 7-65; can be cellular phone with country ID, ESN, mobile ID, col. 4, lines 23-34. Clearly, since Stewart discloses WLAN, mobiles, portable smart devices, notebooks, personal computers, PDAs, (col. 1), access databases, banks, and Email (col. 2; col. 6), online databases, message services, Email providers, (col. 6), and using the Internet (col. 12) as the central network (15, Fig. 1), Stewart does meet the limitations regarding the Internet, WWW pages, IAPs etc., as specified in claims 1-7, and 13-20.

Stewart fails to disclose the details of how a terminal (mobile) registers and communicates with the various APs. Therefore, although Stewart discloses IAP settings (characteristics of elements and any information of interest, col.

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6, lines 10-26), providing terminals with access to updates on databases (col. 6, lines 39-49), sending updated information to the terminals based on the location said terminals (col. 7, lines 21-32), it can be argued that Stewart fails to clearly disclose terminal equipment storing settings of IAPs that were used last time, as specified in claims 1, 13-16, and 19-20.

Cheung teaches terminal equipment storing settings of IAPs that were used last time (Figs. 2-5; cols. 4-11, especially col. 4, lines 1-11; col. 6, lines 49-52; col. 7, lines 9-31), as specified in claims 1, 13-16, and 19-20. Cheung teaches the IAPs (col. 4, lines 16-24) and the terminals both broadcast IAP setting data (routing tables, IP addresses, and topology data; cols. 6-11). The APs know the location of terminals due to e.g., knowing where the terminals are registered (e.g. col. 9, lines 17-25). Therefore, Cheung teaches means for receiving broadcast information of the current location of the terminal (cols. 6-11; e.g. col. 9, lines 17-25), means for comparing system information with said stored information (comparing topology databases for IP addresses, changes in databases, changes in IP addresses due to failures, and for node failures; cols. 6-11), updating the terminal database when needed (e.g., when a terminal roams, or a node fails or a IAP with a lower address needs to be registered

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with, cols. 6-11, especially, col. 9, lines 17-25; col. 12, lines 18-43; Figs. 3 and 5; col. 10, lines 14-64).

It would have been obvious for Stewart to use the IP addresses as taught by Cheung because Stewart discloses APs, LANs and the Internet. One of ordinary skill would want to comply with the OSI model, the MAC layer addressing schemes, and various LAN and IP protocols by using IP addresses and well known methods of updating routing tables so that shortest paths could be found and congestion could be avoided when possible. The Internet is a datagram or non connection oriented network which relies on routing updates to find the best or least cost path.

Response to Arguments

1. Applicant's arguments with respect to claims 1-7, and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

In re pg. 12, it appears that the applicant argues that Stewart fails to disclose Internet APs or that the APs disclosed in Stewart are not Internet AP but only LAN APs.

In response, the claims are silent as to exactly how the APs are connected to the Internet, and clearly it is known that LAN APs are connected to an edge router and to the Internet, especially when a terminal is using the AP for e.g., banking (Stewart: col. 4, lines 56-65) or Emailing (Stewart: e.g., col. 4,

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lines 36-47). Furthermore, Stewart clearly discloses using the Internet (col. 12, lines 10-29), and various types of networks (col. 5, lines 52-55; col. 7, lines 50-61).

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

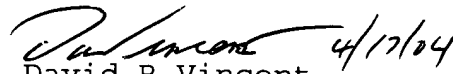
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R

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Vincent whose telephone number is 703 305 4957. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on 703 305 4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 4/17/04
David R Vincent
Primary Examiner
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April 17, 2004